

DD/A Registry

81-0300/2

26 FEB 1981

MEMORANDUM FOR: General Counsel

FROM: Thomas H. White
Director of Information Services

DD/A REGISTRY

FILE: Legal

SUBJECT: Proposed Amendments to Executive Order 12065

Dan -

1. On 11 February 1981, Steve Garfinkel chaired a meeting of members of the Interagency Information Security Committee. I attended as the DCI's representative. The letter setting up the meeting was not very clear on what was to be discussed at the meeting. When we arrived, Garfinkel explained the purpose of the meeting as (1) to figure out how things are working with respect to ISOO and its relationship with other agencies and (2) where he thought all agencies would be going in the future with respect to E.O. 12065. As it turned out, he reported on number 1 and asked the rest of us to report on number 2. I reported merely that we were making an effort within the Agency to determine what amendments, if any, we would like to see made in E.O. 12065. I added, however, that I still fully supported GAO's recommendations with respect to systematic review and that the Agency would at some point be pushing for its demise.

2. Today, I received the attached letter from Garfinkel. It is obvious to me both from the meeting mentioned above and this letter that Garfinkel feels that his turf is threatened. He therefore is making an effort to lead the pack in order to preserve some territory. He apparently has not heard of the efforts of your inter-Agency working group or, if he has, chooses to ignore it.

3. I will leave it to you as to how we should proceed from this point. While I would have no problem with Garfinkel pushing for some of the technical amendments we would like to see, I would not want him carrying the water with respect to the major changes we want in E.O. 12065 which are the elimination of systematic review and the elimination of the requirement to mark all documents with a date certain for review. I can suggest two approaches. The first would be for me to submit the technical amendments to Garfinkel and let him make the push in that area, reserving to your working group the major surgery. The second approach would be for you and your group to get Richard Allen, Ed Meese, or whomever to notify Garfinkel of the existence of your working group and to tell him to leave the entire matter in the working group's hands.

4. As you can see, he has asked for suggestions with respect to amendments by 23 March. Therefore, I would appreciate your reactions as soon as possible.

/s/ Thomas H. White

Thomas H. White

Attachment

DIS:THWhite:ydc (26 Feb 81)

Distribution:

Original - Addressee w/att
1 - ADDA w/att
1 - OIS Subject (E.O. 12065)
1 - OIS Chrono



23 FEB 1981

Mr. Thomas White
Assistant for Information, DDA
Central Intelligence Agency
Washington, DC 20505

Dear ^{Don}Mr. White:

It was good seeing you at the meeting of the Interagency Information Security Committee. From my perspective it was a very worthwhile exercise. The thoughts expressed in many ways paralleled our thinking at ISOO about the status of the information security program at this time.

Two views emerged from the meeting as a consensus of opinion: (1) The present system is generally working, and does not require wholesale change; and (2) now is a very good time to consider and implement amendments to the general system for purposes of "fine tuning." The members of the IISC also seemed to agree that we could accomplish our objectives more effectively if we worked together under proper policy guidance from the NSC. To this end I am following up on the meeting with this letter.

I propose to have ISOO coordinate initially the submission to the NSC of prospective changes to Executive Order 12065. We would consolidate the proposed amendments and submit them as a package, including a very brief position paper listing the pros and cons of each proposed amendment. We would not delete any proposal without the prior agreement of the proposing agency, and each position paper would include any pros and cons submitted by the agency proposing the change. Each proposal would also note the agency(ies) suggesting the amendment. The proposals would be submitted for the sole purpose of soliciting the White House's guidance on which of them merit further consideration by all the affected agencies. Any drafts of prospective amendments would be brought to the attention of all the concerned agencies early enough for each to provide its complete input on the proposed change.

In order that we may commence the process in a timely manner, I request that you have your suggested revisions to me as soon as possible, but no later than March 23. Please call me at 633-6880 if you have any questions.

Sincerely,

STEVEN GARFINKEL
Director